

UNITED STATES DISTRICT COURT

District of MASSACHUSETTS

United States of America

V.

ORDER SETTING CONDITIONS
OF RELEASEJose Torrado

Defendant

Case Number: 2004-10336 -NMG-06

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing before any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall appear at (if blank, to be notified) _____

Place

on _____

Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- (☒) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- () (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of _____ dollars (\$ _____) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

→ see "order setting Conditions of Release" Dated 11/12/04 docket
Attached. See also Additional Condition (v) ⁵³
on page 2

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Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community.

IT IS FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

(X) (6) The defendant is placed in the custody of:

(Name of person or organization) Carmen Maldonado

(Address) 4 Florence Ave

(City and state) Lowell, MA 01851 (Tel. No.) 978-446-1320

who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: Carmen Maldonado

Custodian or Proxy

Date 11-15-04

() (7) The defendant shall:

() (a) report to the _____,
telephone number _____, not later than _____.

() (b) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property:

() (c) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described _____.

() (d) execute a bail bond with solvent sureties in the amount of \$ _____.

() (e) maintain or actively seek employment.

() (f) maintain or commence an education program.

() (g) surrender any passport to: _____.

() (h) obtain no passport.

() (i) abide by the following restrictions on personal association, place of abode, or travel: _____.

() (j) avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: _____.

() (k) undergo medical or psychiatric treatment and/or remain in an institution as follows: _____.

() (l) return to custody each (week) day as of _____ o'clock after being released each (week) day as of _____ o'clock for employment, schooling, or the following limited purpose(s): _____.

() (m) maintain residence at a halfway house or community corrections center, as deemed necessary by the pretrial services office or supervising officer.

() (n) refrain from possessing a firearm, destructive device, or other dangerous weapons.

() (o) refrain from () any () excessive use of alcohol.

() (p) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

() (q) submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.

() (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.

() (s) refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or electronic monitoring which is (are) required as a condition(s) of release.

() (t) participate in one of the following home confinement program components and abide by all the requirements of the program which () will or () will not include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.

() (i) **Curfew.** You are restricted to your residence every day () from _____ to _____, or () as directed by the pretrial services office or supervising officer; or

() (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the pretrial services office or supervising officer; or

() (iii) **Home Incarceration.** You are restricted to your residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the pretrial services office or supervising officer.

() (u) report as soon as possible, to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

(X) (v) No contact with any witnesses or defendants in the case, directly or indirectly, other than via your attorney

() (w)

() (x)

United States District Court District of Massachusetts

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 200⁴~~3~~-10336-NMG-06

JOSE TORRADO.

ORDER SETTING CONDITIONS OF RELEASE

COLLINGS, U.S.M.J.

After hearing, the Court finds that there is a combination of conditions of release which will reasonably assure the appearance of the defendant and the safety of other persons and the community. Accordingly, the Court sets the following Conditions of Release:

- (1) The defendant and his mother shall execute a \$25,000 bond secured by the deposit of \$25,000 in cash.
- (2) The defendant shall live only at 4 Florence Avenue, Lowell, Massachusetts ("the residence") and at no other location.
- (3) The defendant shall be subject to electronic monitoring at the residence and may not leave the residence except (a) for the purpose of attending a previously scheduled appearance in a court, (b) for the purpose of visiting an attorney who is representing him

in a pending criminal matter,(c) for the purpose of engaging in employment which is approved by Pre-Trial Services and (d) for the purpose of seeking emergency medical care. Permission to leave the residence for the above-stated purposes (a), (b), (c) or (d) is conditioned on the defendant complying with all of the requirements imposed by the Pre-Trial Services.

- (4) All features on the telephone which are incompatible with electronic monitoring must be removed prior to the defendant's release.
- (5) The defendant is released into the Third Party Custody of his mother, Carmen ~~Torredo~~ Maldonado
- (6) The defendant shall not apply for a passport or any type of travel documents while on release.
- (7) The defendant shall not possess any firearms, destructive devices or dangerous weapons while on release and there shall be no such firearms, destructive devices or dangerous weapons in the residence.
- (8) The defendant shall not alcohol to excess and shall not use or possess any narcotic controlled substance except by prescription from a licensed medical practitioner.
- (9) The defendant shall submit to random drug testing by Pre-Trial Services.
- (10) The defendant shall notify Pre-Trial Services within twenty-four (24) hours if he is arrested.
- (11) The defendant's travel is restricted to Essex, Middlesex and Suffolk Counties, Massachusetts.
- (12) The defendant shall comply with all terms of his bail set at the Lowell District Court and shall make all court appearances in that Court in connection with pending criminal matters.

- (13) The defendant shall obtain legal employment in which he is paid in a legal manner (not "under the table") and shall provide proof of his employment in the form of pay stubs to Pre-Trial Services.
- (14) The defendant shall not violate any Federal, state or local law while on release, including the provisions of 18 U.S.C. §§ 1503, 1512 and 1513.

/s/ Robert B. Collings

ROBERT B. COLLINGS

United States Magistrate Judge

Date: November 12, 2004.

Advice of Penalties and Sanctions

TO THE DEFENDANT:

U.S. MARSHAL

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY

U.S. MARSHAL

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